

By: Jetton

H.B. No. 3591

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a high-speed Internet access grant program to facilitate instruction and learning for public school students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 32, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. HIGH-SPEED INTERNET ACCESS GRANT PROGRAM

Sec. 32.321. ESTABLISHMENT OF PROGRAM. (a) The agency shall establish a high-speed Internet access grant program to provide grants to school districts and open-enrollment charter schools to provide high-speed Internet to facilitate instruction and learning for students enrolled in the district or school.

(b) The agency shall publish on the agency's Internet website a list of providers of high-speed Internet services, infrastructure, equipment, and devices approved for participation in the grant program. Approval of providers must be based on:

(1) quality of the service or product;
(2) availability of the service or product;
(3) reasonableness of the rates or costs of the service or product; and

(4) agreement by the provider to abide by grant program requirements or separate requirements established by the commissioner.

1 (c) The commissioner may negotiate with providers approved
2 under Subsection (b) to obtain rates and costs favorable to school
3 districts and open-enrollment charter schools in connection with
4 the grant program.

5 (d) A school district or an open-enrollment charter school
6 may apply to the commissioner to participate in the grant program.
7 In awarding grants under this subchapter for each school year, the
8 commissioner shall consider for each district or school that
9 applies:

10 (1) the availability of high-speed Internet access for
11 students at district or school facilities or at the residences of
12 the students enrolled in the district or school;

13 (2) other funding available to the district or school
14 to provide high-speed Internet access to students enrolled in the
15 district or school; and

16 (3) any budgeted plans for providing high-speed
17 Internet access to students enrolled in the district or school.

18 (e) The commissioner may determine the terms of a grant
19 awarded under this section, including limits on the amount of a
20 grant and the approved uses of grant funds.

21 (f) The agency may administer the grant program or contract
22 with a regional education service center to administer the grant
23 program.

24 (g) The commissioner may recover funds not used in
25 accordance with the terms of a grant by withholding amounts from any
26 state funds otherwise due to the school district or open-enrollment
27 charter school.

1 Sec. 32.322. FUNDING. (a) The commissioner shall use funds
2 appropriated or other funds available for the purpose of the grant
3 program authorized under this subchapter.

4 (b) The commissioner may solicit and accept gifts, grants,
5 and donations from any public or private source, including the
6 federal government.

7 (c) If funds are not appropriated or otherwise available for
8 the purpose of the grant program authorized under this subchapter,
9 the commissioner may:

10 (1) implement the grant program with funding obtained
11 under Subsection (b);

12 (2) implement and maintain the approved provider list
13 under Section 32.321(b) independently of the grant program; and

14 (3) negotiate on behalf of school districts and
15 open-enrollment charter schools with providers approved under
16 Section 32.321(b) independently of the grant program.

17 Sec. 32.323. RULES. The commissioner may adopt rules as
18 necessary to implement this subchapter.

19 SECTION 2. This Act applies beginning with the 2021-2022
20 school year.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2021.